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Richard Reiner

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EXAMINER

SANDERS, STEPHEN

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/527,758	Applicant(s) REINER, RICHARD	
	Examiner STEPHEN SANDERS	Art Unit 4133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>Mar. 10, 2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is in response to Application/Control Number: 10/527758 filed on Sep. 12, 2003 in which claims 1-30 are presented for examination.

Status of Claims:

Claims 1-30 are pending, of which claim 1, 14, 15, 20, 26-30 are in independent form.

Claims 1-30 are rejected under 35 U.S.C. 103(b).

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show **22** as described in paragraph [0020] line 4 of the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are

not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show **52** as described in paragraph [0035] line 7 of the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “**20**” has been used to designate both “**Cookie**” and “**Host; Connection**” in Figure 1A. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities: Paragraph [0022] line 3 of the Specification recites **16** which appears to be a mislabeling for **16’**.

Appropriate correction is required.

5. The disclosure is objected to because of the following informalities: Paragraph [0024] line 2 of the Specification recites **18a”** which appears to be a mislabeling for **18a’”**.

Appropriate correction is required.

Claim Objections

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6. Claim 15, an independent claim, recites "A method of screening for illegitimate Hypertext Transfer Protocol (TP) ..." which appears to be a misstatement for "A method of screening for illegitimate Hypertext Transfer Protocol (HTTP) ...".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Green, and Jensen, Patent No.: 5,913,024; Date of Patent: Jun. 15, 1999 hereinafter Green.

As to claim 1, the following is taught: "A method of screening for illegitimate requests to a computer application (Green: column 1, lines 6-9; column 2, lines 42-51; column 8, line 66 to column 9, line 4; column 14, lines 37-39), comprising:

screening a request with a rule having at least one of an existential condition; a statistical condition, and a complex universal condition (Green: types of conditions disclosed in column 4, line 62 to column 5, line 37; enforcement or rules for types disclosed in column 2, lines 53-67; column 9, lines 2-34)."

As to claim 2, the following is taught: “The method of claim 1 wherein screening with said rule is triggered by said request being of a certain type (Green: column 9, lines 26-28). “

As to claim 3, the following is taught: “The method of claim 2 wherein said rule has a plurality of conditions and wherein said plurality of conditions are triggered by said request being of said certain type (Green: column 7, line 57 to column 8, line 16; column 12 line 63 to column 13 line 15).”

As to claim 4, the following is taught: “The method of claim 3 wherein said certain type is a certain type of universal resource identifier (URI) (Green: column 13, lines 16-67; column 26, lines 3-9).”

As to claim 5, the following is taught: “The method of claim 1 wherein said existential condition requires that a specified number of elements of a given type exists in said request (Green: column 26, lines 33-36).”

As to claim 6, the following is taught: “The method of claim 5 wherein said elements of a given type are one of Headers; Cookies; Universal Resource Identifier (URI) parameters; URI-encoded fields; multi-part encoded fields; Simple Object Access Protocol (SOAP) encoded elements (Green: column 25, lines 1-5; column 26, lines 3-9).”

As to claim 7, the following is taught: “The method of claim 1 wherein said existential condition requires that a specified number of elements of a given type with a given property exists in said request (Green: column 26, lines 33-36; column 8, lines 12-16).”

As to claim 8, the following is taught: “The method of claim 1 wherein said complex universal condition requires that a specified proportion of elements of a given type exist in said request (Green: column 17, lines 39-51).”

As to claim 9, the following is taught: “The method of claim 1 wherein said statistical condition is based on a statistical measure of a property of elements of a certain type in a request (Green: column 17, lines 39-51; column 26, 33-36).”

As to claim 10, the following is taught: “The method of claim 9 wherein said property of elements of a certain type is one of a name or value of said elements of a certain type (Green: column 15, lines 25-60).”

As to claim 11, the following is taught: “The method of claim 1 wherein said request is an hypertext transfer protocol (HTTP) request (Green: column 1, lines 6-9; column 2, lines 42-51; column 8, line 66 to column 9, line 4; column 14, lines 37-39; Green: column 25, lines 1-5).”

As to claim 12, the following is taught: “The method of claim 11 wherein said rule comprises conditions for one or more of the following parts of a request: Headers; Cookies; Methods; HTTP versions; Universal Resource Identifier (URI) parameters; URI-encoded fields; multi-part encoded fields; Simple Object Access Protocol (SOAP) elements (Green: column 25, lines 1-5; column 26, lines 3-9).”

As to claim 13, the following is taught: “The method of claim 3 wherein said body of said request follows Simple Object Access Protocol (SOAP) (Green: column 7, line 57 to column 8, line 16; column 12 line 63 to column 13 line 15; column 25, lines 1-5; column 26, lines 3-9).”

As to claim 14, the following is taught: “A method of screening for illegitimate requests to a computer application, comprising: screening a request with a rule having an existential condition (Green: types of conditions disclosed in column 4, line 62 to column 5, line 37; enforcement or rules for types disclosed in column 2, lines 53-67; column 9, lines 2-34).”

As to claim 15, the following is taught: “A method of screening for illegitimate Hypertext Transfer Protocol (HTTP) requests to a computer application (Green: column 1, lines 6-9; column 2, lines 42-51; column 8, line 66 to column 9, line 4; column 14, lines 37-39; column 25, lines 1-5), comprising:

screening an HTTP request with a rule, said rule comprising a condition for at least one of the following parts of a request: Headers; Cookies; HTTP version indicators; Universal Resource Identifier (URI) parameters; URI-encoded fields; multi-part encoded fields; Simple Object Access Protocol (SOAP) elements; URI format (Green: types of conditions disclosed in column 4, line 62 to column 5, line 37; enforcement or rules for types disclosed in column 2, lines 53-67; column 9, lines 2-34).”

As to claim 16, the following is taught: “The method of claim 15 wherein screening with said rule is triggered by a URI of said request being of a certain type (Green: column 13, lines 16-67; column 26, lines 3-9).”

As to claim 17, the following is taught: “The method of claim 15 further comprising, upon finding a request not meeting a condition, blocking said request (Green: column 7, lines 9-11).”

As to claim 18, the following is taught: “The method of claim 15 further comprising, upon finding a request not meeting a condition, adding an entry to an event log (Green: column 7, lines 12-17; column 7, lines 36-40).

As to claim 19, the following is taught: "The method of claim 15 further comprising, upon finding a request not meeting a condition, alerting (Green: column 7, lines 9-11)."

As to claim 20, the following is taught: "A method of screening for illegitimate Hypertext Transfer Protocol (HTTP) requests to a computer application (Green: column 1, lines 6-9; column 2, lines 42-51; column 8, line 66 to column 9, line 4; column 14, lines 37-39; column 25, lines 1-5), comprising: screening an HTTP request with a rule, said rule comprising a condition for fields or elements in a body of said request and a separate condition for Cookies of said request (Green: types of conditions disclosed in column 4, line 62 to column 5, line 37; enforcement or rules for types disclosed in column 2, lines 53-67; column 9, lines 2-34)."

As to claim 21, the following is taught: "The method of claim 20 wherein said rule also comprises a condition for Universal Resource Identifier (URI) parameters of said request (Green: column 13, lines 16-67; column 26, lines 3-9)."

As to claim 22, the following is taught: "The method of claim 21 wherein said rule also comprises a condition for Methods of said request."

As to claim 23, the following is taught: "The method of claim 22 wherein said role set also comprises a condition for an hyper-text transfer protocol (HTTP) version indicator of said request."

As to claim 24, the following is taught: "The method of claim 23 wherein said role also comprises a condition for a URI format of said request (Green: column 13, lines 16-67; column 26, lines 3-9)."

As to claim 25, the following is taught: "The method of claim 24 wherein said rule also comprises a condition for a Header of said request."

As to claim 26, the following is taught: "A computer readable medium containing computer executable instructions which when loaded into a processor cause said processor to: screen a request with a rule having one of an existential condition; a statistical condition; and a complex universal condition (Green: column 3, lines 1-35; additionally see Green's teachings above with regard to claim 1)."

As to claim 27, the following is taught: "A computer readable medium containing computer executable instructions which when loaded into a processor cause said processor to: screen an HTTP request with a rule, said rule comprising a condition for at least one of the following parts of a request: Headers; Cookies; HTTP version indicators; Universal Resource Identifier (URI) parameters; URI-encoded fields; multi-

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part encoded fields; Simple Object Access Protocol (SOAP) elements; URI format (Green: column 3, lines 1-35; additionally see Green's teachings above with regard to claim 15)."

As to claim 28, the following is taught: "A screener comprising: an input for receiving requests; and means for screening a received request with a rule having one of an existential condition; a statistical condition; and a complex universal condition (Green: column 3, lines 1-35; column 1, lines 6-9; column 2, lines 42-51; column 8, line 66 to column 9, line 4; column 14, lines 37-39)."

As to claim 29, the following is taught: "A screener comprising: an input for receiving HTTP requests; and means for screening an HTTP request with a rule, said rule comprising a condition for at least one of the following parts of a request: Headers; Cookies; HTTP version indicators; Universal Resource Identifier (URI) parameters; URI-encoded fields; multi-part encoded fields; Simple Object Access Protocol (SOAP) elements; URI format."

As to claim 30, the following is taught: "A method of screening for illegitimate Hypertext Transfer Protocol (HTTP) requests to a computer application (Green: column 1, lines 6-9; column 2, lines 42-51; column 8, line 66 to column 9, line 4; column 14, lines 37-39; column 25, lines 1-5), comprising: screening an HTTP request with a rule, said rule comprising a condition for at least two of the following parts of a request:

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Headers; Cookies; Methods; HTTP versions; Universal Resource Identifier (URI) parameters; URI-encoded fields; multi-part encoded fields; Simple Object Access Protocol (SOAP) elements; URI format (Green: types of conditions disclosed in column 4, line 62 to column 5, line 37; enforcement or rules for types disclosed in column 2, lines 53-67; column 9, lines 2-34)."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Denker, U.S. Patent No. 5,958,053; 5,386,412; McKelvey, U.S. Patent No. 5,896,499; Schneier et al, U.S. Patent No. 7,159,237.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEPHEN SANDERS whose telephone number is (571)270-5308. The examiner can normally be reached on M - F; 7:30a.m. - 5:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz Coby can be reached on 571-272-4017. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen Sanders/
Examiner, Art Unit 4133

/Frantz Coby/
Supervisory Patent Examiner
Art Unit 4133